



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,043	02/05/2004	Maher N. Qabar	680053.413C11

CONFIRMATION NO. 4992

FORMALITIES LETTER



OC000000012732987

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

07/22/2004 EABURAK1 00000007 501627 10774043

01 FC:1001	770.00 DA
02 FC:1201	86.00 DA
03 FC:1202	162.00 DA
04 FC:1051	130.00 DA

Date Mailed: 05/20/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 4A.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$248** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1148** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$248**
 - **\$86** for **1** independent claims over 3.
 - **\$162** for **9** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



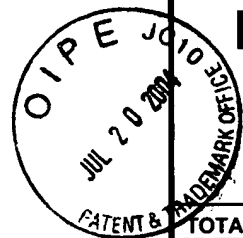
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

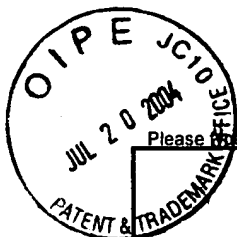
FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT		(\$) 1148																																																																																																																																																																																											
METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																											
1. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 2. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees to Deposit Account Number 50-1627 3. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other 4. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.1 6 and 1.17 and credit any overpayment to Deposit Account Number 50-1627		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>0</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>0</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>0</td><td>Requesting publication of SIR prior to Examination action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>0</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>0</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>0</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>0</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>0</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>0</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>0</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5" style="text-align: right;">*Reduced by Basic Filing Fee Paid</td><td>SUBTOTAL (3) \$130</td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath	130	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	0	Non-English specification		1812	2,520	1812	0	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	0	Requesting publication of SIR prior to Examination action		1805	1,840*	1805	0	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	0	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	0	Petitions to the Commissioner		1807	50	1807	0	Processing fee under 37 CFR 1.17(q)		1806	180	1806	0	Submission of Information Disclosure Stmt		8021	40	8021	0	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	For each additional invention to be examined (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	0	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) \$130
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
1051	130	2051	65	Surcharge - late filing fee or oath	130																																																																																																																																																																																								
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																									
1053	130	1053	0	Non-English specification																																																																																																																																																																																									
1812	2,520	1812	0	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																									
1804	920*	1804	0	Requesting publication of SIR prior to Examination action																																																																																																																																																																																									
1805	1,840*	1805	0	Requesting publication of SIR after Examiner action																																																																																																																																																																																									
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																									
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																									
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																									
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																									
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																									
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																									
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																									
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																									
1451	1,510	1451	0	Petition to institute a public use proceeding																																																																																																																																																																																									
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																									
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																									
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																									
1502	480	2502	240	Design issue fee																																																																																																																																																																																									
1503	640	2503	320	Plant issue fee																																																																																																																																																																																									
1460	130	1460	0	Petitions to the Commissioner																																																																																																																																																																																									
1807	50	1807	0	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																									
1806	180	1806	0	Submission of Information Disclosure Stmt																																																																																																																																																																																									
8021	40	8021	0	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																									
1809	770	2809	385	For each additional invention to be examined (37 CFR § 1.129(a))																																																																																																																																																																																									
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																									
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																									
1802	900	1802	0	Request for expedited examination of a design application																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																													
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3) \$130																																																																																																																																																																																								
FEE CALCULATION																																																																																																																																																																																													
2. BASIC FILING FEE <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td>770</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (1)</td><td>\$770</td></tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee	770	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)					\$770																																																																																																																																																		
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
1001	770	2001	385	Utility filing fee	770																																																																																																																																																																																								
1002	340	2002	170	Design filing fee																																																																																																																																																																																									
1003	530	2003	265	Plant filing fee																																																																																																																																																																																									
1004	770	2004	385	Reissue filing fee																																																																																																																																																																																									
1005	160	2005	80	Provisional filing fee																																																																																																																																																																																									
SUBTOTAL (1)					\$770																																																																																																																																																																																								
1. EXTRA CLAIM FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th colspan="2">Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>29-20** = 9</td> <td>x</td> <td></td> <td>\$18</td> <td>= \$162</td> </tr> <tr> <td>Indep. Claims</td> <td>4-3** = 1</td> <td>x</td> <td></td> <td>\$86</td> <td>= \$86</td> </tr> <tr><td colspan="6">Multiple Dependent</td></tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>** Reissue independent claims over original patent</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td></tr> <tr><td colspan="5" style="text-align: right;">SUBTOTAL (2) \$ 248</td></tr> </tbody> </table>				Extra Claims		Fee from below	Fee Paid	Total Claims	29-20** = 9	x		\$18	= \$162	Indep. Claims	4-3** = 1	x		\$86	= \$86	Multiple Dependent						Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	1202	18	2202	9	Claims in excess of 20	1201	86	2201	43	Independent claims in excess of 3	1203	290	2203	145	Multiple dependent claim, if not paid	1204	86	2204	43	** Reissue independent claims over original patent	1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2) \$ 248																																																																																																																																					
		Extra Claims		Fee from below	Fee Paid																																																																																																																																																																																								
Total Claims	29-20** = 9	x		\$18	= \$162																																																																																																																																																																																								
Indep. Claims	4-3** = 1	x		\$86	= \$86																																																																																																																																																																																								
Multiple Dependent																																																																																																																																																																																													
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description																																																																																																																																																																																									
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																																									
1201	86	2201	43	Independent claims in excess of 3																																																																																																																																																																																									
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																																									
1204	86	2204	43	** Reissue independent claims over original patent																																																																																																																																																																																									
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																									
SUBTOTAL (2) \$ 248																																																																																																																																																																																													
**or number previously paid, if greater; For Reissues, see above.																																																																																																																																																																																													

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Andrew Gibbs	Registration No. (Attorney/Agent)	52,943
Signature		Telephone	801-883-3835
		Date	07/20/2004



Please use a plus sign (+) inside this box →



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number **10/774.043**

Filing Date **February 5, 2004**

First Named Inventor **Mahe N. QABAR**

Group Art Unit **1617**

Examiner Name **Unassigned**

Total Number of Pages in This Submission

30

Attorney Docket Number

5808.04 (previously 680053.413C11)

ENCLOSURES (check all that apply)



Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Documents



Response to Missing Parts/
Incomplete Application



Response to Missing Parts
under 37 CFR 1.52 or 1.53



Assignment Papers
(for an Application)



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation
Change of Correspondence
Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s)



After Allowance Communication
to Group



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Preliminary Amendment



Other Enclosure(s) (please
identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual Name

ANDREW GIBBS, REG. NO. 52.943

Signature

Date

July 20, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: July 20, 2004.

Typed or printed name

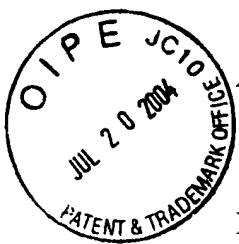
Michael Moreno

Signature

Date

July 20, 2004

\\Barrister\\Intellectual Property\\Patent Prosecution\\5000\\5808\\5808.04\\5808.04 2004-07-20 TRANSM MM.doc



Attorney Docket No. 5808.04 (Formerly 680053.413C11)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: QABAR et al.

Serial No.: 10/774,043

Filed: February 5, 2004

For: BETA-SHEET MIMETICS AND METHODS RELATING TO THE USE THEREOF

July 20, 2004

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated May 20, 2004, response copy attached, a copy of the Declaration and Power of Attorney and Supplemental Declaration submitted for the originally filed parent application of the above referenced application, is herewith submitted.


In response to the request for replacement drawings in compliance with 35 C.F.R. 1.84 and 37 C.F.R. 1.121, Applicants hereby submit a set of replacement drawings for Figures 1-5B consisting of six (6) pages. The set of replacement drawings are reproducible and comply with the requirement under 37 C.F.R. §1.78(e) that drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable. The replacement drawings are supported by the application as-filed and no new matter has been added.

Please charge the following fees and any additional fees or credit any overpayment for the payment of the filing fee, any extra claims fees or the surcharge to our Deposit Account No. 50-1627:

\$ 130.00	(surcharge under 37 C.F.R. 1.16(e))
770.00	(basic filing fee)
<u>248.00</u>	(additional claims fee)
\$1148.00	TOTAL

In re Application of: QABAR et al.
Serial No.: 10/774,043
Filed: February 5, 2004
Page 2

Respectfully submitted,

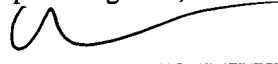

Andrew Gibbs
Registration No. 52,943

Intellectual Property Department
Myriad Genetics, Inc.
320 Wakara Way
Salt Lake City, UT 84108
Telephone: 801-584-3600
Fax: 801-883-3871

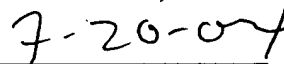
CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 329264086 US
Date of Deposit: July 20, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Michael Moreno



Date